

**Senate State & Local Government  
Committee Amendment #2**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMENDMENT NO.** \_\_\_\_\_

\_\_\_\_\_  
**Signature of Sponsor**

**AMEND Senate Bill No. 2306\***

**House Bill No. 2380**

In Section 3(e) by deleting the subdivision in its entirety and by substituting instead the following as new subdivision (e):

(e) "Inmate" means any person who is confined in a correctional facility under the jurisdiction of the department.

AND FURTHER AMEND by deleting the original Section 4 in its entirety and by substituting instead the following:

Section 4.

(a) The department shall develop a form which shall be used by the department to obtain information from inmates regarding assets of the inmates.

(b) Upon being developed, the form shall be submitted to each person who, in the discretion of the department, may have sufficient assets to warrant further investigation. Such form may be submitted to any person who is an inmate as of the effective date of the Act and to any person who thereafter is sentenced to imprisonment under the jurisdiction of the department. The form may be resubmitted to an inmate by the department for purposes of obtaining current information regarding assets of the inmate.

(c) Every inmate who is given a form by the department shall complete the form or provide for completion of the form and the inmate shall swear or affirm under oath that to the best of his/her knowledge the information provided is complete and accurate.

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(d) The department shall develop the form provided for under this section not later than thirty (30) days after the effective date of this act.

AND FURTHER AMEND by deleting Section 5 in its entirety and by substituting instead the following:

Section 5. The department shall develop a report on each inmate who is required to complete a form in accordance with the provisions of Section 4 of this act, together with all other information available on the assets of the inmate and an estimate of the total cost of care for that inmate.

AND FURTHER AMEND in Section 6(a) by deleting the language "attorney general" and by substituting instead the language "department".

AND FURTHER AMEND in Section 6(b) by deleting the subsection in its entirety and by substituting instead the following as a new subsection (b):

(b) If the department, upon completing the investigation, has good cause to believe that an inmate has sufficient assets to recover not less than ten percent (10%) of the estimated cost of the inmate for two (2) years or ten percent (10%) of the cost of care of the inmate, whichever is less, the commissioner shall forward reports concerning such inmates to the attorney general and reporter for appropriate action. The attorney general shall seek to secure reimbursement for the expense of the State of Tennessee for the cost of care of that inmate.

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AND FURTHER AMEND by deleting the final sentence of subsection (c) of the amendatory language of SECTION 8 and substituting instead the following:

Such reimbursement is subject to payments for court-ordered child support and arrearages before the state may apply any amounts recovered for reimbursement of its expenses, including the costs of any investigations.

AND FURTHER AMEND by deleting the final sentence of subsection (h) of the amendatory language of SECTION 8 in its entirety.

AND FURTHER AMEND by deleting from SECTION 12 the language "before the state receives reimbursement pursuant to this act" and substituting instead the language "before the state receives reimbursement, including the costs of any investigations, pursuant to this act".

AND FURTHER AMEND by deleting Section 13 in its entirety and by substituting instead the following:

SECTION 13. Notwithstanding the provisions of Tennessee Code Annotated, Section 50-6-223(b), a court may assign up to fifty percent (50%) of workers' compensation made by periodic payments to pay an arrearage owed by an inmate who is confined in the custody of the department of correction; provided that such assignment is administered in accordance with Tennessee Code Annotated, Section 50-2-105.

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